

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>RORY M. WALSH,</b>	:	<b>CIVIL ACTION NO. 1:05-CV-0818</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Conner)</b>
<b>v.</b>	:	
	:	
<b>THE UNITED STATES OF AMERICA, et al.,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 14th day of August, 2007, upon consideration of plaintiff's motion (Doc. 211) for leave to file a second amended complaint pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, and the proposed second amended complaint (Doc. 220),<sup>1</sup> and it appearing that the proposed second amended complaint contains defendants and claims that were dismissed by the orders of court dated June 9, 2006 and October 30, 2006 (Docs. 65, 155), and that plaintiff seeks to incorporate events that occurred after the filing of the first amended complaint (Doc. 30), see Fed. R. Civ. P. 15(d) ("Upon motion of a party the court may, upon reasonable notice and upon such terms as are just, permit the party to serve a supplemental pleading setting forth transactions or occurrences or events which have happened since the date of the pleading sought to be supplemented."), it is hereby ORDERED that:

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<sup>1</sup> Pursuant to the order of court dated August 1, 2007 (Doc. 215), plaintiff also filed a redlined version (Doc. 219), i.e., a copy of the first amended complaint noting the changes incorporated into the second amended complaint.

1. The motion (Doc. 211) for leave to file a second amended complaint is DENIED without prejudice to plaintiff's right to file a motion for leave to file a supplemental pleading pursuant to Rule 15(d) of the Federal Rules of Civil Procedure. Any Rule 15(d) motion shall be accompanied by a proposed supplemental pleading.
2. The proposed second amended complaint and redlined version (Docs. 219, 220) are STRICKEN from the docket.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge